

**To:** Catri, Cindy[Catri.Cynthia@epa.gov]; Stanley, Elaine[stanley.elainet@epa.gov]  
**From:** Lombardo, Ginny  
**Sent:** Fri 1/6/2017 5:19:25 PM  
**Subject:** Re: MassDEP revised letter to AVX

Elaine-

I'm thrilled that from Cindy's review, it's likely we'll have minimal comments. I agree with Cindy that we shouldn't get into the weeds and should only provide minimal comments to keep this moving. Can you please reach out to Angela today and tell her that our preliminary review indicates we're generally in agreement with the letter as written but that we'd like until Monday noon to get them any comments. To make sure that timeline is ok with DEP. Thanks.

- Ginny

Sent from my iPhone

On Jan 5, 2017, at 7:26 PM, Catri, Cindy <[Catri.Cynthia@epa.gov](mailto:Catri.Cynthia@epa.gov)> wrote:

Elaine/Ginny

I think the letter is pretty good and about as much as we could hope for. I believe DEP covered everything discussed at the meeting and clarified a lot of things, using stronger language and citing to the MCP a lot more to support its position. (I'll forward in separate email my very rough summary of the 12/7 meeting in case it helps). I don't think there is really much to comment on and we don't want to get too much in the weeds. We really just want DEP to issue the letter as soon as possible. For all, Elaine and I agreed to get our thoughts back to DEP by next Monday at the latest.

Elaine, I was thinking EPA's response to DEP would come from you with a copy to Ginny. (we can FYI everyone else at EPA in a separate email) Most important would be to emphasize the need to issue the letter as soon as possible; second would be that DEP give AVX a very short time frame to produce Phase III Modification...30 days?

Other observations you can pass on or not:

In the section on the specific comments on Phase III and in the chart, OU1 should be Conditional Approval to be consistent with the beginning of the letter and with the discussion and agenda from the December 7 meeting. OU2 is confusing – not sure if it is

Approval or Conditional Approval.

In the comments on Titleist cleanup, remember we had a discussion about the lateral extent of the soil contamination and AVX made an argument that any contamination from the rise in land on the Titleist property was from Harbor flooding, even above high tide and they would not address it. DEP is a little vague in its letter although it does require AVX to consider EPA's sampling data provided to them in its remedy. I don't know what more we could comment here beyond what we've already said to DEP.

Call me on my cell if you want to discuss.